

June 7, 2018

A regular meeting of the Village Board of the Town of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison NY, Westchester County, on Thursday, June 7, 2018, at 7:00 PM. Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Ronald Belmont Mayor

Richard Dionisio)

Frank Gordon) Trustees

Fred Sciliano)

Stephen Malfitano)

ALSO ATTENDING:

Andrea Rendo Deputy Village Attorney

Nelson Canter Deputy Town Attorney

Jonathan Kraut Village Attorney

Frank Allegretti Town Attorney

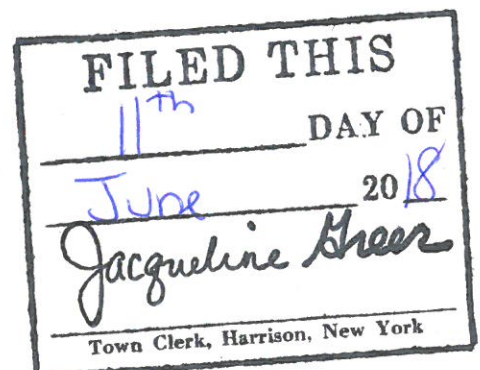
Maureen MacKenzie Treasurer

June 7, 2018

V - - 2018 - - 046 - - A

PUBLIC HEARING REGARDING THE PROPOSED LOCAL LAW
REZONING OF THE AVALON PROJECT SITE AND
THE PROPOSED RIGHT-OF-WAY DISCONTINUANCE

The voting record for the public hearing regarding the local law rezoning of the Avalon project site and the proposed right-of-way discontinuance was moved from the Town Board to the Village Board.



June 7, 2018

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LOCAL LAW # 1 of 2018

AMENDING THE ZONING MAP OF THE TOWN/VILLAGE OF HARRISON TO
RE-ZONE THE HARRISON STATION TRANSIT ORIENTED DEVELOPMENT
SITE FROM PB DISTRICT TO TOD DISTRICT

On motion of Trustee Sciliano, seconded by Trustee Gordon,

it was

RESOLVED to approve a Local Law amending the Zoning Map of the Town/Village of Harrison, as follows:

Section 1. The Zoning Map of the Town/Village of Harrison is amended to re-zone from Professional Business District to Transit Oriented Development District the following described property in the Town/Village of Harrison:

Commencing at the intersection of the northerly side of Halstead Avenue with the westerly side of Macy Street, thence running westerly and along the northerly side of Halstead Avenue the following three (3) courses and distances:

1. South 74 degrees 22 minutes 14 seconds west, 38.80 feet;
2. South 80 degrees 37 minutes 3 seconds west, 146.95 feet;
3. South 74 degrees 22 minutes 14 seconds west, 50.00 feet
to the point or place of beginning;

Thence from said point or place of beginning and running southerly into said Halstead Avenue, south 74 degrees 22 minutes 14 seconds west, 1,015.80 feet; Thence north 15 degrees 37 minutes 46 seconds west, 11.00 feet to the beginning of a curve connecting the northerly side of Halstead Avenue with the easterly side of Harrison Avenue, said curve bearing to the right, having a radius of 40.00 feet, a length of arc of 67.81 feet (67.85 feet as shown on Westchester County Clerk filed map no. 8080), and a chord bearing and distance of north 57 degrees 2 minutes 51 seconds west, 59.97 feet to a point on the easterly side of Harrison Avenue;

Thence running northerly and along the easterly side of Harrison Avenue north 8 degrees 26 minutes 44 seconds west, 102.48 feet to the northwesterly corner of the parcel herein described, said point also being on the existing southerly limit of the New York and New Haven Railroad right-of-way; Thence running easterly and along the existing southerly limit of the New York and New Haven Railroad right-of-way the following five (5) courses and distances:

FILED THIS	
<u>11th</u>	DAY OF
<u>June</u>	20 <u>18</u>
<i>Jacqueline Sheer</i>	
Town Clerk, Harrison, New York	

1. North 74 degrees 22 minutes 14 seconds east, 356.23 feet;
2. South 15 degrees 37 minutes 46 seconds east, 15.55 feet;
3. North 74 degrees 22 minutes 14 seconds east, 57.33 feet;
4. North 15 degrees 37 minutes 46 seconds west, 15.55 feet;
5. North 74 degrees 22 minutes 14 seconds east, 629.10 feet to the northeasterly corner of the newly dimensioned parcel herein described, said point also being the northeasterly corner of newly dimensioned Tax Lot 12; Thence running southerly and along the newly dimensioned Tax Lot 12, south 15 degrees 37 minutes 46 seconds east, 157.65 feet to the point or place of beginning.

Containing 164,975.5 square feet or 3.7873 acres more or less. All bearings refer to the New York State Plane Coordinate System (NAD 83).

Section 2. This Local Law shall be effective immediately upon approval by the Town/Village Board of the Town/Village of Harrison and upon filing with the Office of the Secretary of State, as provided by law.

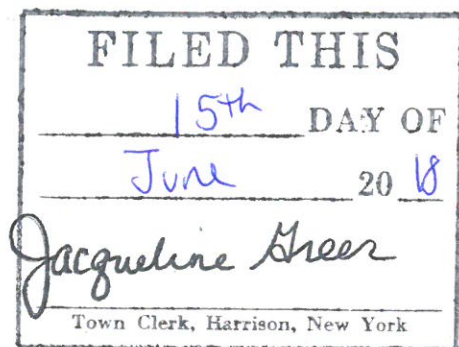
FURTHER RESOLVED to forward a copy of this Resolution to the Law Department.

Adopted by the following vote:

AYES: Trustees Dionisio, Gordon, Malfitano and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None



June 7, 2018

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(I) AMENDING THE OFFICAL MAP OF THE TOWN/VILLAGE TO DISCONTINUE THE PUBLIC STREET RIGHT-OF-WAY ON AND OVER THE PORTION OF HALSTEAD AVENUE (THE "ROADWAY PARCEL") DESCRIBED IN THE PETITION OF AVALONBAY COMMUNITIES, INC., DATED AND FILED MAY 1, 2018; (II) AUTHORIZING THE QUITCLAIM CONVEYANCE OF THE ROADWAY PARCEL TO AVALONBAY COMMUNITIES, INC., SUBJECT TO (A) QUITCLAIM CONVEYANCE OF THE ROADWAY PARCEL BY THE COUNTY OF WESTCHESTER TO THE TOWN, AND (B) PERMISSIVE REFERENDUM; AND (III) AUTHORIZING EXECUTION OF THE LAND DISPOSITION AND DEVELOPMENT AGREEMENT, PARKING REVENUE AGREEMENT, NORTHSIDE PARKING AGREEMENT, INTERIM PARKING AGREEMENT, AND OTHER AGREEMENTS, ALL WITH RESPECT TO THE HARRISON STATION TRANSIT ORIENTED DEVELOPMENT PROJECT

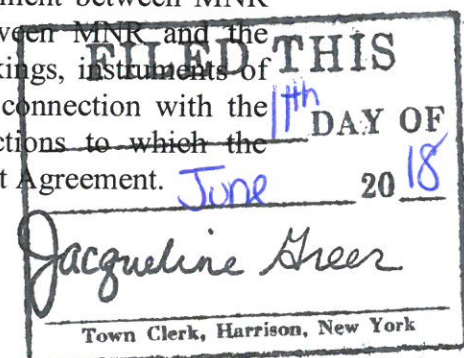
On motion of Trustee Malfitano, seconded by Trustee Gordon, it was

RESOLVED to amend the Official Map of the Town/Village to discontinue the public street right-of-way on and over the portion of Halstead Avenue (the "Roadway Parcel") described in the Petition of AvalonBay Communities, Inc. ("AVB"), dated and filed May 1, 2018; and it was

FURTHER RESOLVED to authorize the Supervisor to execute and deliver to AVB or its designee a quitclaim deed to the Roadway Parcel, provided that AVB shall be responsible for all costs of recording the deed, and subject to (a) the prior quitclaim conveyance by the County to the Town/Village of the Roadway Parcel, and to permissive referendum; and it was

FURTHER RESOLVED that the Town Clerk is hereby directed to post and publish notice of adoption of this Resolution in accordance with New York Town Law Section 90; and it was

FURTHER RESOLVED to authorize the Supervisor to execute, make minor changes if necessary and deliver on behalf of the Town/Village the following agreements with respect to the Harrison Station Transit Oriented Development Project: (i) Land Disposition and Development Agreement between Metropolitan Transportation Authority ("MTA"), Metro-North Commuter Railroad Company ("MNR"), AVB (or its designee), and the Town/Village; (ii) the Parking Revenue Agreement between AVB (or its designee) and the Town/Village; (iii) the Northside Parking Agreement between MNR and the Town/Village; (iv) the Interim Parking Agreement between MNR and the Town/Village; and (v) such other documents, agreements, undertakings, instruments of transfer, and certificates which may be necessary or desirable in connection with the Harrison Station Transit Oriented Development, and the transactions to which the Town/Village is a party under the Land Disposition and Development Agreement.



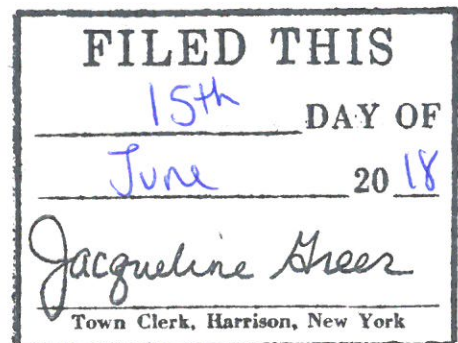
FURTHER RESOLVED to forward a copy of this Resolution to the Law Department.

Adopted by the following vote:

AYES: Trustees Dionisio, Gordon, Malfitano and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None

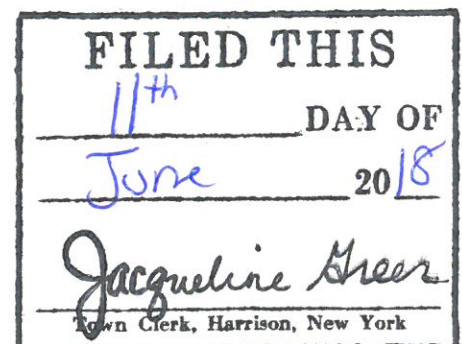


June 7, 2018

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PUBLIC HEARING REGARDING THE PROPOSED ABANDONMENT OF THE
"PAPER ROAD" PORTION OF WHITE STREET, AND THE DELETION OF THE
SAME FROM THE OFFICIAL MAP

Deputy Town Attorney Andrea Rendo explained that she wanted to make clear to the Board regarding White Street that the Town Law and Village Law require two different details contained in the resolutions.



June 7, 2018

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ABANDONMENT OF THE "PAPER ROAD" PORTION OF WHITE STREET

On motion of Trustee Dionisio, seconded by Trustee Malfitano,

it was:

RESOLVED, to recognize the abandonment of the "Paper Road" portion of White Street, that portion being west of Crotona Avenue as a matter of law pursuant to Highway Law §205(1), "Highways Abandoned" and described as:

ALL that certain plot; piece or parcel of land, situate, lying and being in the Town and Village of Harrison, Westchester County and State of New York, shown as a portion of White Street on map entitled, "Subdivision of Property Belonging to JRA Properties LLC, 162 Crotona Avenue, Town and Village of Harrison, Westchester County, New York, filed in the Westchester County Clerk's Office Division of Land Records on July 1, 2005, as Map No. 27576.

BEGINNING at the intersection of the westerly side of Crotona Ave. with the southerly side of White Street, and the northeast corner of lot 4 as shown on the above map;

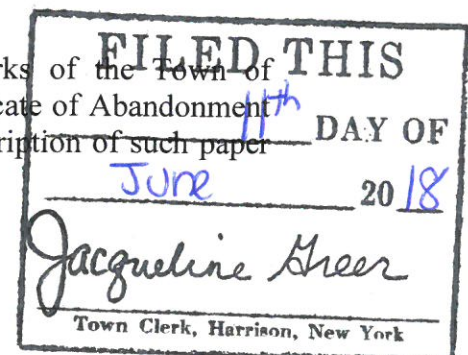
Thence westerly along the southerly line of White Street and the northerly line of lots 4, 5, & 6, on above map, South 88 degrees 03 minutes 20 seconds West 191.83 feet to a point on the southerly side of Lands now or formerly of the New York State Thruway Authority;

Thence northeasterly along the division line between White Street and Lands now or formerly of the New York State Thruway Authority North 73 degrees 26 minutes 47 seconds East 198.24 feet to a point;

Thence southerly through White Street South 1 degree 56 minutes 40 seconds East 50.00 feet to the place and point of BEGINNING.

Subject to a 15 foot wide sewer easement centered on the existing sewer, and a 15 foot wide Water easement centered on the existing water main both in that portion of White Street.

RESOLVED, to direct the Commissioner of Public Works of the Town of Harrison to execute and record in the Town Clerk's office a Certificate of Abandonment signed by the Supervisor and Town Board including a written description of such paper road;



RESOLVED, to authorize the deletion of such portion of the roadway from the Official Map of the Town of Harrison;

RESOLVED, to authorize the private sale of such parcel for adequate consideration as previously determined to adjacent landowner, JRA Properties.

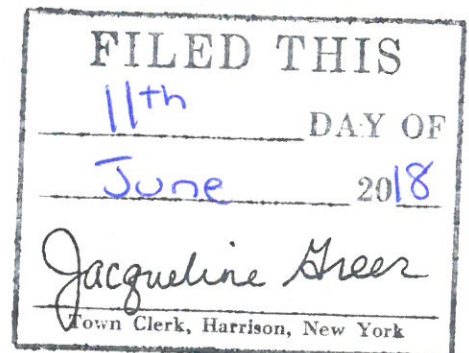
FURTHER RESOLVED to forward a copy of this Resolution to the Law Department, Commissioner of Public Works, Town Assessor and Town Engineer.

Adopted by the following vote:

AYES: Councilpersons Dionisio, Gordon, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None



June 7, 2018

V - - 2018 - - 048
LETTER OF RETIREMENT

Supervisor Belmont said Johnnie has been an asset to the town as a Sanitation employee and will be missed. Supervisor Belmont wished Johnnie good luck in his future endeavors.

Councilman Malfitano said that Johnnie was a solid employee; he always showed up for work and did the job. We are going to miss him.

On motion of Trustee Sciliano, seconded by Trustee Malfitano,

it was

RESOLVED to accept, with regret, the Letter of Retirement from Village Sanitation employee, Johnnie L. Dixon, from his position in The Department of Public Works, effective June 30, 2018.

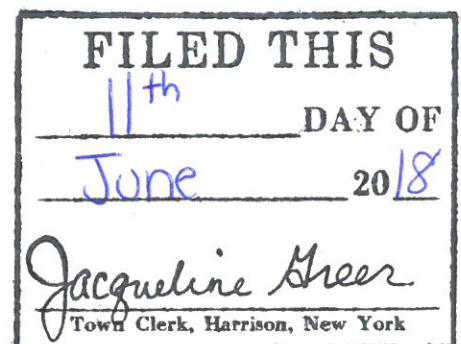
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Commissioner of Public Works and the Personnel Manager.

Adopted by the following vote:

AYES: Trustees Dionisio, Gordon, Malfitano and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None



June 7, 2018

V - - 2018 - - 049

APPROVAL TO AMEND PURCHASE ORDER #381066, ISSUED TO
SEALCOATING, INC. FOR PAVEMENT REHABILITATION OF VARIOUS TOWN
ROADWAYS

On motion of Trustee Malfitano, seconded by Trustee Sciliano,

it was

RESOLVED to accept the request by the Purchasing Department for approval to amend purchase order #381066, issued to Sealcoating, Inc., for Pavement Rehabilitation of various town roadways, from \$309,000 to \$2,009,000, an increase of \$1,700,000.

FURTHER RESOLVED funding is available in 2018 capital account 18HW05, 006-5110-100-98-50.

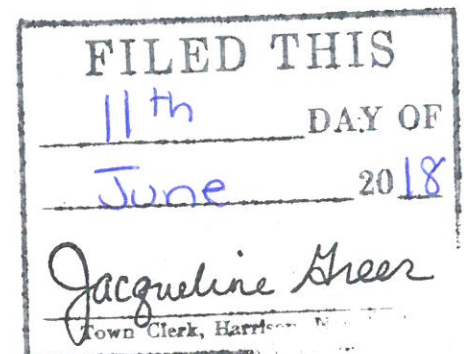
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Commissioner of Public Works and the Purchasing Department.

Adopted by the following vote:

AYES: Trustees Dionisio, Gordon, Malfitano and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None



June 7, 2018

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AUTHORIZATION FOR A PROFESSIONAL SERVICES CONTRACT WITH GHD
FOR WORK ASSOCIATED WITH THE SANITARY SEWER REHABILITATION IN
THE TRAILS AND WINFIELD SEWER BASINS

On motion of Trustee Sciliano, seconded by Trustee Gordon,

it was

RESOLVED to accept the request by Village Engineer, Michael Amodeo, for authorization for a professional services contract with GHD, for work associated with the Sanitary Sewer Rehabilitation in the Trails and Winfield Sewer Basins at a cost not to exceed \$80,400.00. The scope of services is based on the identification of necessary remedial actions as identified in the SSES performed in 2017.

FURTHER RESOLVED for the Purchasing Department to issue a Purchase Order in an amount not to exceed \$80,400.00 payable to GHD. Funding for this contract is available in Capital Account #18SD06.

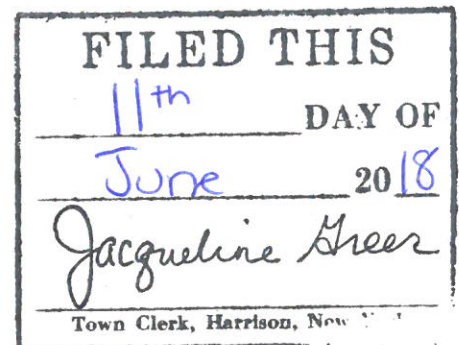
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Village Engineer and the Purchasing Department.

Adopted by the following vote:

AYES: Trustees Dionisio, Gordon, Malfitano and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None



June 7, 2018

V - - 2018 - - 051

AUTHORIZATION FOR A PROFESSIONAL SERVICES CONTRACT WITH GHD
FOR WORK ASSOCIATED WITH THE TOWN-WIDE SANITARY SEWER
EVALUATION STUDY

On motion of Trustee Sciliano, seconded by Trustee Malfitano,

it was

RESOLVED to accept the request by Village Engineer, Michael Amodeo, for authorization for a professional services contract with GHD, for work associated with the Town-Wide Sanitary Sewer Evaluation Study at a cost not to exceed \$2,137,950.00. The scope of services is based upon the draft Work Plan submitted to the New York State Department of Environmental Conservation and is continuation of the SSES performed in 2017.

FURTHER RESOLVED for the Purchasing Department to issue a Purchase Order in an amount not to exceed \$2,137,950.00 payable to GHD. Funding for this contract is available in Capital Account #18SD06.

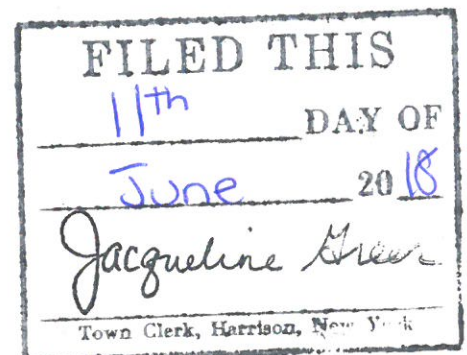
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Village Engineer and the Purchasing Department.

Adopted by the following vote:

AYES: Trustees Dionisio, Gordon, Malfitano and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None



June 7, 2018

V - - 2018 - - 052
MATTERS FOR EXECUTIVE SESSION

Sale of Property: 1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed to Executive Session at 7:52 PM.

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
declared closed at 10:45 PM.

Respectfully submitted,

Jacqueline Greer
Town Clerk

